

The Office Action has requested correction of the spelling of the terms "amongst" and "combing" on page 1, line 23 and page 2, lines 5 and 7, respectively, in the specification. It is the understanding of the undersigned attorney that these words are spelled correctly. However, if the Examiner would still like to have the specification amended with respect to these two words, please call the undersigned attorney to discuss acceptable alternatives.

The Examiner has requested correction regarding the term "trimethylnol" on page 4, line 14 of the specification. The specification has been amended above not only to correct the misspelling of "trimethylnol", but also to replace "1-Amino-2-Trimethylnol Ricinoleate/IPDI Copolymer-Diethyl Sulfate" with "Triethanolamine Ricinoleate/IPDI Copolymer-Diethyl Sulfate" to be consistent with the disclosure at page 5, lines 1 through 10. In addition, the specification has been amended above to correct a similar typographical error on page 5, line 15. The incorrectly spelled compound "IDPI" has been corrected to "IPDI". Support for this correction is found on page 5, lines 7 and 8.

With respect to the pending 35 U.S.C. §112, first and second paragraph rejections, please note that independent claim 1 has been amended to recite the compound of allowed claim 29 and the term "suitable" has been removed. Although applicant respectfully submits the term "suitable" as used in the claims is well understood by those skilled in the art, it has been removed in the interest of moving this application forward to allowance and with the knowledge that the term "suitable" may be superfluous in light of the recitation that the vehicle is for topical application to hair, lips, skin and/or nails.

Accordingly, in light of the foregoing, applicant submits that all Section 112 rejections have been obviated.

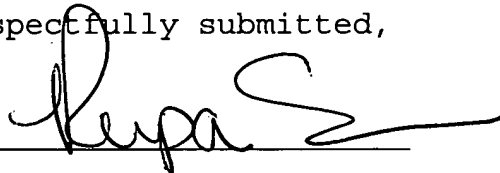
Claims 1, 2, 5, 6, 7, 8 and 11 have been rejected under 35 U.S.C. §102(b) as being anticipated by Kato (U.S. Patent No. 6,114,057).

Claim 1 has been amended above to recite the compound of allowed claim 29. Since the compound of claim 29 is patentable, applicant submits that a composition containing such a compound is likewise patentable. Claims 2,3 and 5 through 11 depend, either directly or indirectly, from claim 1 and are also patentable for the same reason.

In view of the foregoing, applicant respectfully submits that the claims of the present invention are allowable and requests that all rejections be reconsidered and withdrawn that the claims of this application be given favorable consideration and passed to allowance.

November 15, 2002

Respectfully submitted,

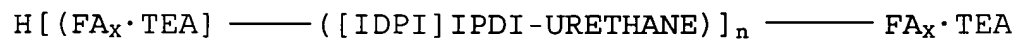


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The paragraph beginning at page 5, line 12, has been amended as follows:

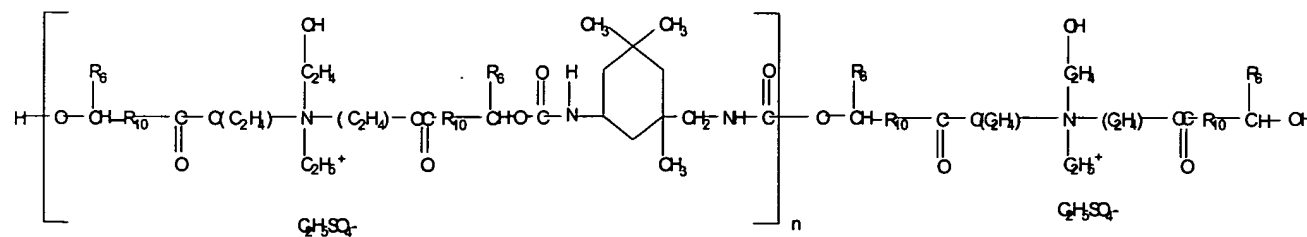
A polyurethane polyesterpolyquat as described above, can be structurally generalized as follows:



wherein X = degree of esterification of TEA with [F]fatty [A]acid (FA) and ranges from 1 (monoester) to 3 (triester), but it is most preferably equal to 2 (i.e., the diester).

In the Claims:

1. (Amended) A composition comprising a polyurethane polyester polyquat compound and a vehicle [suitable] for topical application to hair, lips, skin and/or nails, said polyquat compound having the formula:



wherein R_6 is C_6H_{13} , R_{10} is $CH_2CH=CH(CH_2)_7$, and $n=4$ to 40 .